

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL W. BOWDEN,

Defendant.

NO. MJ16-415

STIPULATED MOTION TO EXTEND
TIME FOR INDICTMENT

Noting Date: December 19, 2016

The United States of America, by and through Annette L. Hayes, United States Attorney for the Western District of Washington, and Justin W. Arnold, Assistant United States Attorney; and the defendant, Michael W. Bowden, by and through his attorney, Jeffrey Kradel, respectfully request that the deadline to file an indictment in this matter be extended from on or about December 30, 2016, to January 13, 2017, and hereby stipulate and agree as follows, pursuant to 18 U.S.C. § 3161(h)(7)(A):

1. Michael W. Bowden is charged by Complaint with three counts of Extortion Under Color of Official Right, in violation of Title 18, United States Code, Section 1951(a), and one count of Attempted Distribution of a Controlled Substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(C). The Complaint alleges that the defendant obtained and attempted to obtain money from an

1 inmate at the Monroe Correctional Complex and another individual in exchange for
2 smuggling contraband into the prison by extortion under color of official right on three
3 occasions between July 12, 2016, and September 20, 2016. The Complaint also alleges
4 that the defendant attempted to distribute methamphetamine.

5 2. On September 28, 2016, Bowden was arrested pursuant to a federal arrest
6 warrant. Bowden made his initial appearance the next day, September 29, 2016, and he
7 was released on bond with conditions. The defendant has waived the preliminary
8 hearing.

9 3. To date, the United States has hours of audio recordings of discovery in this
10 matter, and anticipates providing additional discovery in the near future.

11 4. Under the Speedy Trial Act, an indictment charging a defendant must be
12 filed within 30 days from the date on which the defendant was arrested. 18 U.S.C.
13 § 3161(b). The United States and Bowden previously filed a stipulated motion extending
14 the deadline of the Indictment date from October 28, 2016, to December 30, 2016.
15 Hence, at the present time, the United States must obtain an Indictment in this case on or
16 before October 28, 2016. On October 21, 2016, the Honorable Brian A. Tsuchida signed
17 on Order extending the deadline of the Indictment date from October 28, 2016, to
18 December 30, 2016.

19 5. The defendant and his counsel are continuing to diligently conduct an
20 investigation regarding the facts and circumstances that are outlined in the Affidavit of
21 Special Agent Matthew Thoresen in support of the complaint in this matter, including
22 reviewing the audio recordings the United States has provided in early discovery. The
23 defendant also intends to review the additional discovery to be provided by the United
24 States and is diligently researching several legal issues pertaining to the case. The
25 defendant does not believe that his investigation or research will be completed by the
26 expiration of the time to obtain an indictment. The defendant believes that the results of
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1 his investigation and research will be essential to preparing his defense, and may
2 facilitate a resolution of this matter.

3 6. The defendant will file a waiver of his right to speedy indictment waiving
4 that right until January 13, 2017.

5 7. This is the second request for an extension of the deadline for the filing of
6 an indictment.

7 8. In light of the foregoing, it is hereby stipulated and agreed that the deadline
8 for the United States to file an indictment against the defendant should be extended until
9 January 13, 2017.

10 DATED: December 19, 2016.

13 Respectfully submitted:

14 ANNETTE L. HAYES
15 Acting United States Attorney

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25 s/ Jeffrey Kradel
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3 **CERTIFICATE OF SERVICE**

4 I hereby certify that on December 19, 2016, I electronically filed the foregoing
5 with the Clerk of Court using the CM/ECF system which will send notification of such
6 filing to the attorney(s) of record for the defendant(s). I hereby certify that I have served
7 the attorney(s) of record for the defendant(s) that are non CM/ECF participants via e-mail
8 and/or telefax.

9 s/ John M. Price
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